

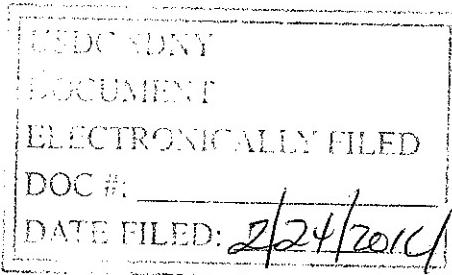
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February 24, 2014

BY EMAIL

Honorable Cathy Seibel
United States District Judge
Southern District of New York
Hon. Charles L. Brieant Jr. Federal
Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150



***In re Mirena IUD Products Liability Litigation, 13-MD-2434, 13-MC-2434;
Dorena Borders v. Bayer Healthcare Pharmaceuticals Inc., 7:13-CV-06818-CS***

Dear Judge Seibel:

Defendant Bayer Healthcare Pharmaceuticals Inc. submits this letter in response to Plaintiff's request for additional time to file an Amended Complaint in the Dorena Borders case.

Bayer filed its initial letter to the Court requesting leave to file a Motion to Dismiss Ms. Borders' case as time-barred on January 2, 2014. This January 2 letter attached a proposed brief in support of Bayer's Motion to Dismiss, which laid out Bayer's arguments as to why Ms. Borders' complaint is untimely. Bayer's proposed Motion was discussed at the January 22 status conference, and the Court granted Bayer's request to file its Motion. Plaintiff sought leave to file an Amended Complaint, and the Court gave Plaintiff more than thirty days to do so, by February 24. On February 6, Plaintiff informed Bayer that she intended to amend her Complaint by February 22.

Plaintiff now seeks two additional weeks to prepare an Amended Complaint. Bayer is perplexed by Plaintiff's request for additional time. She inexplicably failed to confer with Bayer regarding an extension, let alone offer any reason whatsoever to the Court necessitating one. While Bayer recognizes that circumstances arise that require deadline extensions, we are concerned that unilateral requests like the one before the Court, without the benefit of a prior meet and confer or any explanation or justification, will set a precedent that will unduly delay the adjudication of this litigation.

For the foregoing reasons, Bayer requests that the Court deny Plaintiff's request for additional time to amend her Complaint so that the deadlines previously set by the Court can remain in place and Bayer's Motion can be adjudicated in a timely manner. Alternatively, if the Court extends Plaintiff's

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February 24, 2014

In re Mirena IUD Product Liability Litigation

No. 13-MD-2434 (CS) (LMS)

Page 2

deadline to March 10, Bayer requests that its deadline for filing its Motion to Dismiss also be extended two weeks to March 24, and that Plaintiff's response remain due on April 10.

Respectfully submitted,

/s/ Shayna S. Cook

Shayna S. Cook

Lead Counsel for Defendants

*Bayer HealthCare Pharmaceuticals Inc., Bayer OY, and
Bayer Pharma AG*

CC (via email):

Counsel for Plaintiffs Diogenes P. Kekatos, Fred Thompson, James R. Ronca, Matthew McCauley;

Counsel for Bayer James Shepherd and William Harrington

Counsel for Dorena Borders Amy Collignon Gunn